

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

LOGAN IRELAND and NICHOLAS
BEAR BADE,

Plaintiffs,

v.

PETER B. HEGSETH, in his official
capacity as Secretary of Defense; THE
UNITED STATES OF AMERICA;
GARY ASHWORTH, in his official
capacity as Acting Secretary of the Air
Force; and THE UNITED STATES
DEPARTMENT OF THE AIR FORCE,

Defendants.

Civ. A. No. 25-cv-01918-CPO-AMD

NOTICE

On March 24, 2025, this Court entered a temporary restraining order (“TRO”) prohibiting Defendants from initiating administrative separation proceedings against Plaintiffs due to their transgender status. ECF No. 24. As of the date the TRO was entered, the TRO was the only Order of any court protecting Plaintiffs’ status quo. The TRO is set to expire on April 6, 2025. During argument on the TRO, the Court also directed us to keep the Court “apprised in terms of whether or what additional relief you intend to seek from this Court in light of what’s going on in the District of Columbia as well as the State of Washington.” TRO Tr. at 63:20-23.

Plaintiffs submit this Notice to inform the Court that, due to intervening events since the Court's entry of the TRO, Plaintiffs will not seek to extend the TRO or request that the Court enter a preliminary injunction at this time. A nationwide preliminary injunction is currently in place that prohibits the Government from enforcing the Trump Administration's transgender military ban as to any transgender service members.

The Western District of Washington issued that nationwide preliminary injunction on March 27, 2025, in *Shilling v. Trump*, No. 25-cv-241 (W.D. Wash.), and it took immediate effect. *See* ECF No. 34 (attaching *Shilling* Order and Opinion). The Government appealed to the Ninth Circuit Court of Appeals and moved for an immediate administrative stay and for a stay pending appeal. On March 31, the Ninth Circuit denied the Government's request for an administrative stay, leaving the nationwide injunction intact. And, as to the request for a stay pending appeal, the Ninth Circuit ordered the parties to follow the multi-week briefing schedule set by the Federal Rules of Appellate Procedure. *Shilling v. Trump*, No. 25-2039 (9th Cir.), ECF No. 20 (attached as Exhibit A); *see also* Fed. R. App. P. 27(a) (providing ten days for response to motion, and seven days for reply). In contrast, the nationwide preliminary injunction issued in *Talbott v. Trump*, No. 25-cv-240 (D.D.C.), has been administratively stayed by the D.C. Circuit while that Court considers the Government's motion for a stay pending appeal in that case. But regardless of the

status of the *Talbott* preliminary injunction, the *Shilling* preliminary injunction remains in effect, enjoining the Government from separating any military members—including the Plaintiffs in this case—due to their transgender status and obviating the need for any further emergency injunctive relief from this Court at this time.

If the landscape changes such that further emergency injunctive relief from this Court is necessary to prevent the initiation of administrative separation proceedings against the Plaintiffs, Plaintiffs will inform the Court and seek such relief at that time.

DATED: April 4, 2025

**GLBTQ LEGAL ADVOCATES
& DEFENDERS**

Jennifer Levi

(pro hac vice)

Michael Haley *(pro hac vice
application forthcoming)*

18 Tremont Street, Suite 950

Boston, MA 02108

617.426.1350

jlevi@glad.org

mhaley@glad.org

**NATIONAL CENTER FOR
LESBIAN RIGHTS**

Shannon P. Minter *(pro hac vice
application forthcoming)*

870 Market Street, Suite 370

San Francisco, CA 94102

415.392.6257

sminter@nclrights.org

Respectfully submitted,

**STAPLETON SEGAL COCHRAN
LLC**

By: /s/ John S. Stapleton

John S. Stapleton, ID 032622005

Eli Segal, ID 030792007

Jonathan Cochran, ID 028142012

Lowry Yankwich, ID 418582022

Four Greentree Centre

601 Route 73 N, Suite 303

Marlton, NJ 08053

856.259.3300

jstapleton@stapletonsegal.com

esegal@stapletonsegal.com

jcochran@stapletonsegal.com

lyankwich@stapletonsegal.com

**LANGER GROGAN & DIVER
P.C.**

By: /s/ John Grogan

John Grogan, ID 026971993

Mary Catherine Roper *(pro hac vice
application forthcoming)*

Daniel Nagdeman *(pro hac vice
application forthcoming)*

1717 Arch Street, Suite 4020

Philadelphia, PA 10001

215.320.5662

jpgrogan@langergrogan.com

mroper@langergrogan.com

dnagdeman@langergrogan.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I, John S. Stapleton, certify that on this date, I caused the foregoing *Notice* to be served upon all counsel of record through the Court's ECF system.

April 4, 2025

/s/ John S. Stapleton
John S. Stapleton